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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.
13

14 JESSE YANG,

15 Defendant.
16

)
) No. CR 12-00651 YGR
)

) STIPULATION AND ORDER
) CONTINUING STATUS DATE;
) EXCLUSION OF TIME
)

17 **STIPULATION**

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
19 this case with respect to Jesse Yang, currently scheduled for Thursday, November 8, 2012, at 2:00
20 p.m. before Honorable Yvonne Gonzalez Rogers, may be continued to Thursday, November 29,
21 2012, at 2:00 p.m. for status. The reason for the request is that the discovery was obtained from the
22 computers of Mr. Yang as well as from the alleged victim. Some of the information regarding the
23 computer discovery was received within the last two weeks after the protective order was signed and
24 filed. Undersigned counsel needs more time to review the discovery recently received and
25 determine what additional investigation will be required and whether a computer expert will be
26

1 needed in advance of the next court date. The parties therefore stipulate that the time from
2 November 8, 2012, to November 29, 2012, should be excluded in accordance with the provisions of
3 the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for adequate preparation of
4 counsel so that counsel can continue reviewing the discovery, determining what further investigation
5 will be required and consult with a computer expert if necessary.
6

7
8 DATED: 11/06/12

/s/
JOYCE LEAVITT
Assistant Federal Public Defender

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10 DATED: 11/06/12

/s/
OWEN MARTIKAN
Assistant United States Attorney

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12
13 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
14 conformed signature (/s/) within this e-filed document.
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16 **ORDER**

17
18 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date Jesse Yang,
19 currently scheduled for Thursday, November 8, 2012, at 2:00 p.m. before Honorable Yvonne
20 Gonzalez Rogers, is hereby continued to Thursday, November 29, 2012, at 2:00 p.m. for status.

21 IT IS FURTHER ORDERED that the time from November 8, 2012, to November 29, 2012, , is
22 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A)
23 and (B)(iv) for adequate preparation of counsel so that counsel can counsel can continue reviewing
24 the discovery, determining what further investigation will be required and consult with a computer
25 expert if necessary prior to the next court date.
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1 The Court finds that there is good cause and that the ends of justice served by the granting of
2 the continuance outweigh the best interests of the public and the defendant in a speedy and public
3 trial and the failure to grant the requested continuance would unreasonably deny counsel the
4 reasonable time necessary for effective preparation, taking into account due diligence.
5

6 SO ORDERED.

7 DATED: November 7, 2012


HON. YVONNE GONZALEZ ROGERS
United States District Judge